

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. 10/680,076  
Applicant: : Thomas W. Bell et al.  
Filed: : October 6, 2003  
Confirmation No. : 9942  
Group Art Unit : 1624  
Examiner: : Coleman, Brenda Libby.  
For : Triaza Compound Immunoregulatory Agents  
Docket No. : 36-02  
Customer No. : 23713

DECLARATION UNDER 37 C.F.R. 1.131

MAIL STOP AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

We, Thomas W. Bell and Dominique Schols, declare that

We are co-inventors of the subject matter of the above-referenced U.S. patent application for which we have executed a joint inventors' declaration on June 29, 2004 and June 30, 2004, respectively, which was submitted to the United States Patent Office on July 1, 2004. Additional named co-inventors are Kurt Vermeire and Kaka Dey. These co-inventors also executed the joint inventor's declaration noted above.

We are co-authors along with Kaka Dey, Qi Jin, Meinrado F. Samala, Emily Scarbrough, Andrej Sodoma, Erik De Clercq and Kurt Vermeire of a poster presentation entitled "Specific CD4 Down-modulating Compounds with Potent Anti-HIV and HHV-7 Activity" which was presented at the 15<sup>th</sup> International Conference on Antiviral Research in Prague, Czech Republic on March 17-21, 2002.



Declarant, Thomas W. Bell, is and was at the time the invention was made a Professor of Chemistry at the University of Nevada, Reno. All of K. Dey, Q. Jin, E. Scarbrough and A. Sodoma worked as graduate students under the direction of Prof. Bell either in his laboratory at the University of Nevada, Reno NV or in his former laboratory at the State University of New York, Stony Brook, NY. Prof. Bell was responsible for naming K. Dey, Q. Jin, E. Scarbrough, A. Sodoma and M.F. Samala as co-authors of the poster presentation noted above. Co-author and co-inventor K. Dey was named as a co-author because of this contribution to synthesis of compounds which are claimed in the above-referenced application. Each of the other co-authors was named by Prof. Bell as a co-author on the poster because each had synthesized compounds which were reported in the poster as having activity, but which are not claimed in the present application. None of the co-authors Q. Jin, E. Scarbrough, A. Sodoma or M.F. Samala contributed intellectually to the claims of the present application and none are believed to be co-inventors of the above-referenced application.

Declarant, Dominique Schols, is and was at the time the invention was made, Full-time Professor (Gewoon Hoogleraar) of the Faculty of Medicine, and is now Co-Director of the Rega Institute for Medical Research, Katholieke Universiteit Leuven, Belgium. Dominique Schols was responsible for naming Erik De Clercq and Kurt Vermeire as co-authors of the poster presentation. Professor De Clercq was at the time the poster was prepared and presented the Head of the Department of Microbiology and Immunology at the Rega Institute for Medical Research, above, and as such it was customary to name him as a co-author on such presentations. Professor De Clercq did not contribute intellectually to any research that is reported in the poster presentation and is not believed to be a co-inventor of the above-referenced patent application. Co-inventor and co-author Kurt Vermeire is and was at the time of the invention a Postdoctoral Research Assistant at the Rega Institute, working in Prof. Schols' laboratory and contributed intellectually to the claims of the above-referenced application.



We further declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the above-referenced application or any patent issuing thereon.

3/22/07  
DATE

Thomas W. Bell  
Thomas W. Bell

\_\_\_\_\_  
DATE

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Dominique Schols

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Attorney Docket No. 36-02  
BDS:sas:3/22/07



We further declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the above-referenced application or any patent issuing thereon.

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DATE

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Thomas W. Bell

26 march 2007  
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DATE

  
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Dominique Schols

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